

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America
v.

Nicholas BONAVIDA

Case No. **1:23-MJ-00225**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

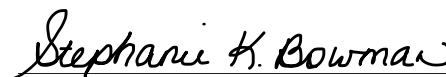
On or about the date(s) of March 28, 2023 in the county of Clermont in the
Southern District of Ohio, the defendant(s) violated:*Code Section**Offense Description*18 U.S.C. 1519
18 U.S.C. 2232(a)
18 U.S.C. 2252A(a)(2)(A) and (b)
18 U.S.C. 2252A(a)(5)(B)Tampering with Evidence
Destruction or Removal of Property to Prevent Seizure
Receipt and Distribution of Child Pornography
Possession of Child Pornography

This criminal complaint is based on these facts:

See Affidavit

☒ Continued on the attached sheet.WESLEY DUNN Digitally signed by WESLEY DU
Date: 2023.03.28 13:19:05 -04'0*Complainant's signature*

Wesley Dunn, Special Agent, FBI

*Printed name and title*Sworn to before me and signed in my presence by reliable electronic means, specifically,
FaceTime video conference.Date: Mar 28, 2023
Judge's signatureCity and state: Cincinnati, OhioHon. Stephanie K. Bowman, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Wesley Dunn, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since August 2020. I am currently assigned to the Cincinnati Division. As a federal agent, I am authorized to investigate violations of United States laws and to execute warrants issued under the authority of the United States. As a Special Agent at FBI, I have investigated federal criminal violations related to high technology or cybercrime, identity theft and crimes against children. Through training at FBI and everyday work, I have gained experience relating to the methods and schemes employed by persons who trade and collect child pornography as well as the manner in which adults seduce children for hands-on offenses. Prior to my current position, I was employed for three years as a patrol officer for the Owensboro Police Department located in Owensboro, Kentucky.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested arrest warrant and does not set forth all of my knowledge about this matter.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 18, United States Code, Sections 1519, 2232(a), 2252A(a)(2) and (b), and 2252A(a)(5)(B) have been committed by Nicholas Bonavita.

INVESTIGATION AND PROBABLE CAUSE

4. On Tuesday, March 28, 2023, agents executed the residential search warrant (1:23-MJ-00216) at 3956 Fulton Grove Road, Cincinnati, Ohio. As agents arrived at the

residence and began moving into place, an occupant of the front, right room of the residence was observed looking through the blinds. Immediately thereafter marked Union Township Police Department units activated their lights at the same time as agents knocked and announced on the front door. After announcing the search warrant, it took more than one minute for the subject, Nicholas Bonavita, to open the front door. After securing the residence, agents began to search the premises. Prior to requesting a lawyer be present, Bonavita told agents that the front, right room of the residence was his bedroom. During the search, agents located a Nokia N152DL phone partially concealed under the bed in Bonavita's bedroom. The phone was bent in the middle and the battery was removed. Based on my training and experience, I believe that Bonavita attempted to mutilate/destroy the phone prior to opening the front door to agents. A Nokia N152DL was listed as the device used to transmit child pornography as part of a NCMEC Cybertip submitted by Kik. Agents seized the phone and logged it into evidence.

5. Upon returning to the FBI field office, forensic examiners conducted a digital search of the Nokia N152DL. Examiners gained access to the phone using the four-digit passcode that Bonavita had given agents during the 2020 search of his residence. A cursory review of the device revealed the following images in the camera roll:

- a. Date: 02/28/23
 - i. An image of Nicholas Bonavita sitting on the front porch of his located at 3956 Fulton Grove Road, Cincinnati, Ohio.
- b. Date: 3/27/23
 - i. One photo of a minor child performing oral sex on an adult male.
 - ii. One photo of what appears to be semen on the vagina and anus of an infant.

iii. Four photos of prepubescent females performing oral sex on adult males.

6. Based on my training and experience, subjects under investigation for violations of Title 18, United States Code, 2252(a)(5)(B) and 2252A(a)(2) and (b) often will attempt to destroy evidence when they become aware of law enforcement presence.

CONCLUSION

7. Based on the above information noted in this Affidavit, I submit that there is probable cause to believe that Bonavita possessed, received, and may have distributed child pornography in violation of Title 18, United States Code, 2252(a)(5)(B) as well as 2252A(a)(2) and (b). There is also probable cause that Bonavita may have attempted to destroy evidence to prevent seizure in violation of Title 18, United States Code, Section 2232(a) and altered, destroyed, or mutilated a tangible object with the intent to impede, obstruct or influence the investigation of the FBI. I, therefore, respectfully request that an arrest warrant be issued be authorizing the arrest of Nicholas Bonavita.

Respectfully submitted,

WESLEY DUNN

Digitally signed by WESLEY
DUNN
Date: 2023.03.28 13:20:07 -04'

Wesley Dunn
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on this 28th day of March, 2023 by reliable electronic means, specifically, FaceTime video conference.

Stephanie K. Bowman

STEPHANIE K. BOWMAN
UNITED STATES MAGISTRATE JUDGE

